

DETAILED ACTION

Acknowledgements

This action is in response to communications filed 02/01/2012. Claims 1-3, 7-19, 22-27, 29-34, 36, 38-39, 42-49, and 5-58 are currently pending.

Response to Arguments

Applicant's arguments filed 02/01/2012 (hereinafter Remarks) have been fully considered.

Applicant argues that the combination of cited references does not teach or suggest the limitation(s): "directing receipt of a generic-recipient message by a network hub, wherein the generic-recipient message comprises a message sent to a group or community address".¹

However, Outlook discloses sending an email message using named personal distribution lists. For example, Outlook describes the ability to create and name a distribution list (pg. 157). The list may be named "Gliders" (pg. 158-159) and an email may then be addressed to the group. Regarding the "generic-recipient message", applicant's specification recites:

(pg. 1:22 through pg. 2:4) The vast majority of the digital messaging communication is conducted on a person-to-person basis. For example, one individual sends another individual an email or an SMS communication or one individual initiates a cellular telephone call to another individual. Much more limited are the communication options for person-to-group, person-community, person-to-place or person-to-application communication. **This type of communication is also referred to herein as generic-recipient message, in which the user does not send the message to a specific individual but rather to a group, a community, a location or an application.**

¹ Remarks, pg. 17, ¶ 4

Applying the broadest reasonable interpretation consistent with the specification,
one of ordinary skill in the art would understand that Outlook's disclosure including
sending email to a group address as in at least pg. 158-159 would be an example of
sending a generic-recipient message comprising a message sent to a group or
community address as recited in the contested claim language. Accordingly, applicant's
arguments cannot be held as persuasive in this regard.

Applicant argues that Outlook's distribution list is not an example of a generic or
community address.² Applicant's arguments are not persuasive. It is well known in the
art that a distribution list name (e.g. "Gliders" as in Outlook) functions as an address.
For instance, when sending an email, one may address the email to the distribution list
by name. U.S. 2002/0078052 to Cheng is provided for support. See Cheng, ¶ 14: "FIG.
2 illustrates an exemplary E-mail message 200 addressed 202 to a distribution list".
Cheng further clarifies what is known in the art as it clearly shows using a distribution
list as a group or community address. Accordingly, applicant's arguments cannot be
held as persuasive in this regard.

Applicant further argues that the cited references fail to teach or suggest
determining one or more recipients for a message based, at least in part, on the
determined type of the message.³

Applicant concedes that Ye teaches determining a communication type for a
message and determining an email address where the recipient should receive the
message.⁴ One of ordinary skill in the art at the time of the invention would understand

² Remarks, pg. 18, ¶ 1

³ Remarks, pg. 19, ¶ 2 through pg. 20, ¶ 3

⁴ Remarks, pg. 20, ¶ 1-2

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50 *determining an email address for a message* based on the type of message to be an
example of *determining a recipient for a message* based on the determined type of the
52 message. Accordingly, applicant's arguments cannot be held as persuasive in this
regard.

54 Applicant further argues that the combination of cited references fail to teach or
suggest "determining whether the message has priority based, at least in part, on the
56 determined type". Applicant's arguments are persuasive in this regard; however,
applicant's claims are not patentable over the new combination of cited references as
58 set forth below. The balance of applicant's arguments relies on matters addressed
above.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 9, 22, 25-26, 36, 38-39, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Outlook 97 (hereinafter Outlook) in view of U.S. 7,171,190 to Ye et al ("Ye"), in view of U.S. 2005/0114453 to Hardt

94 **Regarding claim 1,**

Outlook teaches a method comprising:

96 directing receipt of a generic-recipient message by a network hub, wherein the
98 generic-recipient message comprises a message sent to a group or community
address (pg. 86, 157-159, message sending using personal distribution list.);

100 determining predefined attributes of the message, wherein the predefined
102 attributes comprise one or more of a sender of the message, subject of the
message, or content of the message (pg. 86, 157-159, sender of the message is
104 determined as messages are routed through the server.);

106 directing dispatch of the message to the one or more determined recipients
(Outlook, pg. 157-159, email distributed based on distribution group
108 membership.)

110 Outlook does not expressly disclose:

112 determining a type of communication medium of the message;

114 determining one or more recipients for the message based, at least in part, upon
the determined type;

116 However, Ye discloses:

118 determining a type of communication medium of a message (col. 1:51-53, col.
120 5:4-7, 54-55, col. 6:34-36, message type is determined),

122 determining one or more recipients for a message based, at least in part, upon
the determined type (col. 2:15-20, col. 5:5-13, 56-60, col. 6:34-36, recipient
124 address determined based on message type).

126 It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify Outlook to include the teachings of Ye. The motivation to do so
128 would be that the teachings of Ye would be advantageous in terms of providing
techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).
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132 Outlook and Ye do not expressly disclose:

134 determining one or more recipients for the message further based, at least in
136 part, upon the predefined attributes by comparing the predefined attributes of the
message with stored information related to potential recipients

138 However, Hardt discloses:

140 determining one or more recipients for a message further based, at least in part,
upon predefined attributes by comparing the predefined attributes of a message
142 with stored information related to potential recipients ([0022], [0068], the
message is routed to recipients based on analysis of the title or body of the
144 message. Rule based processing is used in accordance with recipient addresses
and user account information.).

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It would have been obvious to one of ordinary skill in the art at the time of
148 invention to combine the teachings of Hardt with the teachings of Outlook and Ye in
order to route messages based on attributes of the message such as the title or the
150 body to recipients with a specialization in a particular area (Hardt, [0068].).

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Regarding claim 22,

154 Outlook discloses:

156 an apparatus comprising at least one processor and at least one memory storing
computer program code (pg. 86, mail server),

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160 wherein the at least one memory and stored computer program code are
configured to, with the at least one processor, cause the apparatus to at least:

162 direct receipt of a generic-recipient message from one or more communication
networks wherein the generic-recipient message comprises a message sent to a
164 group or community address (pg. 86, 157-159, message sending using personal
distribution list.);

166

determine predefined attributes of the generic-recipient message, wherein the

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168 predefined attributes comprise one or more of a sender of the message, subject
170 of the message, or content of the message (pg. 86, 157-159, sender of the
message is determined as messages are routed through the server.);

172 directing dispatch of the message to the one or more determined recipients
174 (Outlook, pg. 157-159, email distributed based on distribution group
membership.)

176 Outlook does not expressly disclose:

178 determining a type of communication medium of the message;

180 determining one or more recipients for the message based, at least in part, upon
182 the determined type;

However, Ye discloses:

184 determining a type of communication medium of a message (col. 1:51-53, col.
186 5:4-7, 54-55, col. 6:34-36, message type is determined),

188 determining one or more recipients for the message based, at least in part, upon
190 the determined type (col. 2:15-20, col. 5:5-13, 56-60, col. 6:34-36, recipient
address determined based on message type).

192 It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify Outlook to include the teachings of Ye. The motivation to do so
194 would be that the teachings of Ye would be advantageous in terms of providing
techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

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Outlook and Ye do not expressly disclose:

198 determining one or more recipients for the message further based at least in part
200 upon the predefined attributes by comparing the predefined attributes of the
202 message with stored information related to potential recipients

However, Hardt discloses:

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determining one or more recipients for the message further based at least in part upon the predefined attributes by comparing the predefined attributes of the message with stored information related to potential recipients ([0022], [0068], the message is routed to recipients based on analysis of the title or body of the message. Rule based processing is used in accordance with recipient addresses and user account information.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hardt with the teachings of Outlook and Ye in order to route messages based on attributes of the message such as the title or the body to recipients with a specialization in a particular area (Hardt, [0068].).

Regarding claim 36,

Outlook discloses a non-transitory computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

directing storage of information related to potential message recipients (pg. 86);

directing receipt of a generic-recipient message by a network hub and determining predefined attributes associated with the generic-recipient message, wherein the generic-recipient message comprises a message sent to a group or community address (pg. 86, 157-159, message sending using personal distribution list.),

wherein the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message (pg. 86, 157-159, sender of the message is determined as messages are routed through the server.);

directing dispatch of the message to the one or more determined recipients (Outlook, pg. 157-159, email distributed based on distribution group membership.)

240 Outlook does not expressly disclose:

242 determining a type of communication medium of the message;

244 determining one or more recipients for the message based, at least in part, on
the determined type;

246

However, Ye discloses:

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250 determining a type of communication medium of the message (col. 1:51-53, col.
5:4-7, 54-55, col. 6:34-36, message type is determined),

252 determining one or more recipients for the message based, at least in part, upon
the determined type (col. 2:15-20, col. 5:5-13, 56-60, col. 6:34-36, recipient
254 address determined based on message type).

256 It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify Outlook to include the teachings of Ye. The motivation to do so

258 would be that the teachings of Ye would be advantageous in terms of providing
techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

260

Outlook and Ye do not expressly disclose:

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264 determining one or more recipients for the message further based, at least in
part, upon the predefined attributes by comparing the predefined attributes of the
message with stored information related to potential recipients

266

However, Hardt discloses:

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270 determining one or more recipients for a message further based, at least in part,
upon predefined attributes by comparing the predefined attributes of the
message with stored information related to potential recipients ([0022], [0068],
272 the message is routed to recipients based on analysis of the title or body of the
message. Rule based processing is used in accordance with recipient addresses
274 and user account information.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hardt with the teachings of Outlook and Ye in order to route messages based on attributes of the message such as the title or the body to recipients with a specialization in a particular area (Hardt, [0068]).

Regarding claim 25,

Outlook discloses:

wherein the at least one memory and stored computer program code are configured to, with the at least one processor, cause the apparatus to direct dispatch of the message by directing dispatch of the message to one or more determined recipients via a communication network (pg. 86, mail server)

Regarding claim 26,

Outlook discloses:

wherein the communication network includes either a data network, a Short Message Service network, a Multimedia Message Service (MMS) network and or a telephony network (pg. 86, data network)

Regarding claim 2,

Outlook discloses:

wherein directing receipt of a generic-recipient message by a network hub further comprises directing receipt of a generic-recipient message, that includes either a Short Message Service message, a Multimedia Message Service, message, an electronic mail message or voice message (pg. 55, 97, email).

Outlook does not expressly disclose:

wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message

310 However, Ye discloses:

312 wherein determining a type communication medium of the message comprises
314 determining whether the message comprises a Short Message Service, a
Multimedia Message Service, electronic mail message, or voice message (fig. 4,
col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).

316

It would have been obvious to one of ordinary skill in the art at the time of the
318 invention to modify Outlook to include the teachings of Ye. The motivation to do so
would be that the teachings of Ye would be advantageous in terms of providing
320 techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

322 **Regarding claim 9,**

Outlook discloses:

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326 wherein directing dispatch of the message to one or more recipients further
comprises directing transmission of the message to one or more recipients via a
communication medium that includes either short-range wireless communication,
328 Internet communication, SMS communication, or MMS communication (pg. 86,
157-159)

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Regarding claim 38,

332 Outlook discloses:

334 wherein directing receipt of a generic-recipient message by a network hub
further comprises directing receipt of a generic-recipient message, that includes
336 either a Short Message Service message, a Multimedia Message Service,
(MMS) message, an electronic mail message or voice message (pg. 55, 97,
338 email).

340 Outlook does not expressly disclose:

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wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message

However, Ye discloses:

wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message (fig. 4, col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Regarding claim 3, and 39,

Outlook teaches directing receipt of a message by network hub but does not explicitly teach that the network hub is wireless. However, it would have obvious to one of ordinary skill at the time of the invention to include receiving a generic-recipient message at a wireless network hub with the teachings of Outlook, Ye, and Hardt since incorporating wireless technology amounts to applying a known technique to a known device ready for improvement to yield predictable results (e.g. wireless transmission of messages). See MPEP 2141.

Regarding claim 44,

Outlook discloses:

wherein directing dispatch of the message to one or more recipients further comprises directing transmission of the message to one or more recipients via a

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372 communication medium that includes either short-range wireless communication,
Internet communication, SMS communication, or MMS communication (pg. 86,
374 157-159)

376 **Claims 10-19, 29-34, 45-49 are rejected** under 35 U.S.C. 103(a) as being
unpatentable over Outlook, Ye, in view of U.S. 2005/0149622 to Kirkland et al
378 ("Kirkland") and further in view of U.S. 2002/0160757 to Shavit et al ("Shavit").

380 **Regarding claim 10,**

Outlook teaches a method for prioritizing a generic recipient message at a network hub,
382 the method comprising:

384 directing receipt of a generic-recipient message by a network hub, wherein the
generic- recipient message is comprises a message sent to a group or
386 community address (pg. 86, 157-159, message sending using personal
distribution list.);

388 determining predefined attributes of the message, wherein the predefined
390 attributes comprise one or more of a sender of the message, subject of the
message, or content of the message (pg. 86, 157-159, sender of the message is
392 determined as messages are routed through the server.);

394 Outlook does not expressly disclose:

396 determining a type of communication medium of the message

398 However, Ye discloses

400 determining a type of communication medium of the message (col. 1:51-53, col.
5:4-7, 54-55, col. 6:34-36, message type is determined),

402

It would have been obvious to one of ordinary skill in the art at the time of the
404 invention to modify Outlook to include the teachings of Ye. The motivation to do so

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would be that the teachings of Ye would be advantageous in terms of providing

406 techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

408 Outlook and Ye do not expressly disclose:

410 determining whether the message has priority based, at least in part, on the
412 predefined attributes by comparing the predefined attributes of the message with
pre- stored priority information; and

414 prioritizing the message when a determination is made that the message has
416 priority; and

determining to dispatch the prioritized message.

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However, Kirkland discloses:

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determining whether a message has priority based, at least in part, on predefined
422 attributes by comparing the predefined attributes of the message with pre- stored
priority information (abstract, [0009-0010], priority level of a message is
424 determined according to the subject of the message and the messages is
delivered and displayed to the recipient according to the priority level.); and

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prioritizing the message when a determination is made that the message has
428 priority (abstract, [0009-0010], priority level of a message is determined
according to the subject of the message and the messages is delivered and
430 displayed to the recipient according to the priority level.).

432 determining to dispatch the prioritized message (abstract, [0009-0010]).

434 It would have been obvious to one of ordinary skill in the art at the time of

invention to combine determining whether the message has priority based at least in

436 part on the predefined attributes by comparing the predefined attributes of the message
with pre- stored priority information; and prioritizing the message if a determination is

438 made that the message has priority as taught by Kirkland with the method of Outlook

and Ye in order to determine message priority based on the subject of the message

440 (Kirkland, abstract, fig. 7.).

442 Outlook, Ye, and Kirkland do not expressly disclose:

444 determining whether the message has priority bases, at least in part, on the
446 determined type.

However, Shavit discloses:

448 determining whether a message has priority based, at least in part, on a
450 determined type ([0038], priority determined by message type, see fig. 3C).

452 It would have been obvious to one of ordinary skill in the art at the time of the
invention to include the teachings of Shavit with Outlook, Ye and Kirkland. The
454 motivation to do so is that the teachings of Shavit would be advantageous in terms of
prioritizing message delivery mechanisms (Shavit, [0007]).

456

Regarding claim 29,

458 Outlook teaches an apparatus comprising at least one processor and at least one
memory storing computer program code (pg. 86), wherein the at least one memory and
460 stored computer program code are configured to, with the at least one processor, cause
the apparatus to at least:

462 direct receipt of a generic-recipient message from one or more communication
464 networks wherein the generic-recipient message comprises a message sent to a
group or community address (pg. 86, 157-159, message sending using personal
466 distribution list.);

468 determine predefined attributes of the received generic-recipient message,
wherein the predefined attributes comprise one or more of a sender of the
470 message, subject of the message, or content of the message (pg. 86, 157-159);

472 Outlook does not expressly disclose:

474 determining a type of communication medium of the message

476 However, Ye discloses

478 determining a type of communication medium of the message (col. 1:51-53, col.
5:4-7, 54-55, col. 6:34-36, message type is determined),

480

It would have been obvious to one of ordinary skill in the art at the time of the
482 invention to modify Outlook to include the teachings of Ye. The motivation to do so
would be that the teachings of Ye would be advantageous in terms of providing
484 techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

486 Outlook and Ye do not expressly disclose:

488 determine whether the message has priority based, at least in part, on the
predefined attributes by comparing the predefined attributes of the message with
490 pre-stored priority information;

492 determine to dispatch the prioritized message.

494 However, Kirkland discloses:

496 determine whether a message has priority based, at least in part, on predefined
attributes by comparing the predefined attributes of the message with pre-stored
498 priority information (abstract, [0009-0010], priority level of a message is
determined according to the subject of the message and the messages is
500 delivered and displayed to the recipient according to the priority level.)

502 determining to dispatch the prioritized message (abstract, [0009-0010]).

504 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine determining whether the message has priority based at least in

part on the predefined attributes by comparing the predefined attributes of the message with pre- stored priority information; and prioritizing the message if a determination is made that the message has priority as taught by Kirkland with the method of Outlook and Ye in order to determine message priority based on the subject of the message (Kirkland, abstract, fig. 7.).

Outlook, Ye, and Kirkland do not expressly disclose:

determining whether the message has priority bases, at least in part, on the determined type.

However, Shavit discloses:

determining whether a message has priority based, at least in part, on a determined type ([0038], priority determined by message type, see fig. 3C).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Shavit with Outlook, Ye and Kirkland. The motivation to do so is that the teachings of Shavit would be advantageous in terms of prioritizing message delivery mechanisms (Shavit, [0007]).

Regarding claim 45,

Outlook discloses a non-transitory computer-readable storage medium comprising a computer readable storage medium having computer-readable program instructions embodied in the medium, the computer-readable program instructions comprising:

directing receipt of a generic-recipient message by a network hub and determining predefined attributes associated with the generic-recipient message,

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534 wherein the generic-recipient message comprises a message sent to a group or
community address (pg. 86, 157-159, message sending using personal
536 distribution list.),

538 wherein the predefined attributes comprise one or more of a sender of the
message, subject of the message, or content of the message (pg. 86, 157-159);
540

Outlook does not expressly disclose:

542 determining a type of communication medium of the message
544

However, Ye discloses

546 determining a type of communication medium of the message (col. 1:51-53, col.
548 5:4-7, 54-55, col. 6:34-36, message type is determined),

550 It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify Outlook to include the teachings of Ye. The motivation to do so
552 would be that the teachings of Ye would be advantageous in terms of providing
techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).
554

Outlook and Ye do not expressly disclose:

556 directing storage of information related to message priority;
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560 determining whether the generic-recipient message has priority based, at least in
part, on the predefined attributes by comparing the predefined attributes
562 associated with the generic-recipient message to the stored information related
to message priority;
564 dispatching the prioritized message.

566 However, Kirkland discloses:

568 directing storage of information related to message priority (abstract, [0009-
0010]);

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570 determining whether the genetic-recipient message has priority based, at least in
572 part, on the predefined attributes by comparing the predefined attributes
574 associated with the generic-recipient message to the stored information related
576 to message priority (abstract, [0009-0010], priority level of a message is
578 determined according to the subject of the message and the messages is
delivered and displayed to the recipient according to the priority level.);
dispatching the prioritized message (abstract, [0009-0010]).

580 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine determining whether the message has priority based at least in
582 part on the predefined attributes by comparing the predefined attributes of the message
with pre- stored priority information; and prioritizing the message if a determination is
584 made that the message has priority as taught by Kirkland with the method of Outlook
and Ye in order to determine message priority based on the subject of the message
586 (Kirkland, abstract, fig. 7.).

588 Outlook, Ye, and Kirkland do not expressly disclose:

590 determining whether the message has priority bases, at least in part, on the
592 determined type.

However, Shavit discloses:

594 determining whether a message has priority based, at least in part, on a
596 determined type ([0038], priority determined by message type, see fig. 3C).

598 It would have been obvious to one of ordinary skill in the art at the time of the
invention to include the teachings of Shavit with Outlook, Ye and Kirkland. The
600 motivation to do so is that the teachings of Shavit would be advantageous in terms of
prioritizing message delivery mechanisms (Shavit, [0007]).

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602 **Regarding claim 18,**

Outlook discloses:

604 wherein directing receipt of a generic-recipient message by a network hub further
606 comprises directing receipt of a generic-recipient message, that includes either a
Short Message Service message, a Multimedia Message Service, (MMS)
608 message, an electronic mail message or voice message (pg. 55, 97, email).

610 Outlook does not expressly disclose:

612 wherein determining a type communication medium of the message comprises
determining whether the message comprises a Short Message Service, a
614 Multimedia Message Service, electronic mail message, or voice message

616 However, Ye discloses:

618 wherein determining a type communication medium of the message comprises
determining whether the message comprises a Short Message Service, a
620 Multimedia Message Service, electronic mail message, or voice message (fig. 4,
col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).
622

It would have been obvious to one of ordinary skill in the art at the time of the
624 invention to modify Outlook to include the teachings of Ye. The motivation to do so
would be that the teachings of Ye would be advantageous in terms of providing
626 techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

628 **Regarding claim 48,**

Outlook discloses:

630 wherein the directing receipt of a generic-recipient message by a network hub
632 further comprises directing receipt of a generic-recipient message, that includes
either a Short Message Service message, a Multimedia Message Service,
634 (MMS) message, an electronic mail message or voice message (pg. 55, 97,
email).

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Outlook does not expressly disclose:

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wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message

However, Ye discloses:

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wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message (fig. 4, col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Regarding claims 19 and 49,

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Outlook fails to teach directing receipt of a message by a wireless network hub. However, it would have obvious to one of ordinary skill at the time of the invention to include receiving a generic-recipient message at a wireless network hub with the since incorporating wireless technology amounts to applying a known technique to a known device ready for improvement to yield predictable results (e.g. wireless transmission of messages). See MPEP 2141. Moreover, Kirkland suggests using wireless communication links for the network in [0022].

Regarding claim 11,

666 Kirkland discloses:

668 wherein the step of determining whether the message has priority based on the
predefined attributes further comprises determining whether the message has
670 display priority based on the predefined attributes (abstract, [0009-0010], fig. 8.).

672 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine
674 message priority based on the subject of the message (Kirkland, abstract, fig. 7.).

676 **Regarding claim 12,**

Kirkland discloses:

678 wherein prioritizing the message when a determination is made that the message
680 has priority further comprises prioritizing the display of the message when a
determination is made that the message has display priority (abstract. See also,
682 fig. 8.).

684 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine
686 message priority based on the subject of the message (Kirkland, abstract, fig. 7.).

688 **Regarding claim 13,**

Kirkland discloses:

690 wherein prioritizing the display of the message when a determination is made
692 that the message has display priority further comprises directing display of
displaying the message in a prominent position on a display associated with the
694 hub (abstract, fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to deliver and display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 14,

Kirkland discloses:

wherein determining whether the message has priority based on the predefined attributes further comprises determining whether the message has dispatch priority based on the predefined attributes (abstract. See also, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 15,

Kirkland discloses:

wherein prioritizing the message when a determination is made that the message has priority further comprises prioritizing the dispatch of the message when a determination is made that the message has dispatch priority (abstract, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 16,

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Kirkland discloses:

wherein prioritizing the dispatch of the message when a determination is made that the message has dispatch priority further comprises prioritizing the communication medium used to dispatch the message when a determination is made that the message has communication medium dispatch priority (abstract, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 17,

Outlook teaches:

wherein the step of prioritizing the dispatch of the message if a determination is made that the message has dispatch priority further comprises the step of prioritizing the time of dispatch of the message if a determination is made that the message has time dispatch priority (Outlook, pg. 97, 100, timed delivery options.).

Regarding claim 30,

Kirkland discloses:

wherein the processor is further configured to at least one memory and stored computer program code are configured to, with the at least one processor, further cause the apparatus to determine predefined attributes of the received generic-recipient message and compare the predefined attributes to pre-stored display priority information to determine if the received message requires display prioritization (abstract, fig. 8.).

756 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message
758 priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

760 **Regarding claim 31,**

Kirkland discloses:

762 further comprising a display associated with the apparatus that is configured to,
764 under the direction of the at least one memory and stored computer program
code, display message identifiers to one or more recipients (abstract, fig. 8. See
766 also Outlook pg. 97.).

768 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message
770 priority base on subject or content as well as to display messages according to priority
(Kirkland, abstract, fig. 7, [0009].).

772

Regarding claim 32,

774 Kirkland discloses:

776 wherein the processor is further configured to at least one memory and stored
computer program code are configured to, with the at least one processor, further
778 cause the apparatus to provide for display prioritization to be chosen from the
group consisting of displaying prioritized messages first in a list of messages,
780 displaying prioritized messages in a new viewable window and displaying
prioritized messages in a highlighted form (abstract. See also, [0051], fig. 6, 8.).

782

It would have been obvious to one of ordinary skill in the art at the time of
784 invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message

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priority base on subject or content as well as to display messages according to priority

786 (Kirkland, abstract, fig. 7, [0009].).

788 **Regarding claim 33,**

Kirkland discloses:

790

wherein the processor is further configured to at least one memory and stored
792 computer program code are configured to, with the at least one processor, further
cause the apparatus to determine predefined attributes of the received generic-
794 recipient message and compare the predefined attributes to pre-stored dispatch
priority information to determine if the received message requires dispatch
796 prioritization (abstract. See also, fig. 8.).

798

It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message
800 priority base on subject or content as well as to display messages according to priority
(Kirkland, abstract, fig. 7, [0009].).

802

Regarding claim 34,

804 Kirkland discloses:

806

wherein the processor is further configured to at least one memory and stored
computer program code are configured to, with the at least one processor, further
808 cause the apparatus to provide for dispatch prioritization to be chosen from the
group consisting of prioritizing the time at which messages will be dispatched,
810 prioritizing the communication medium used to dispatch messages and
prioritizing the recipients of the dispatched messages (abstract. See also, fig. 8,
812 [0051].).

814

It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message

816 priority base on subject or content as well as to display messages according to priority
(Kirkland, abstract, fig. 7, [0009].).

818

Regarding claim 46,

820 Kirkland discloses:

822 wherein the directing storage of information related to message priority further
comprise directing storage of information related to message display priority, and
824 wherein the determining whether the generic-recipient message has priority
further comprise determining whether the generic-recipient message has display
826 priority by comparing the predefined attributes associated with the generic-
recipient message to the stored information related to message display priority
828 (abstract. See also, fig. 8. See also Outlook pg. 97.).

830 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message
832 priority base on subject or content as well as to display messages according to priority
(Kirkland, abstract, fig. 7, [0009].).

834

Regarding claim 47,

836 Kirkland discloses:

838 wherein the directing storage of information related to message priority further
comprise directing storage of information related to message dispatch priority,
840 and wherein the determining whether the message has priority further comprise
determining whether the message has dispatch priority by comparing the
842 predefined attributes associated with the messages to the stored information
related to message dispatch priority (abstract. See also, fig. 8. See also Outlook
844 pg. 97.).

846 It would have been obvious to one of ordinary skill in the art at the time of
invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message

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priority base on subject or content as well as to display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Outlook, Ye, Hardt, and Kirkland.

Regarding claim 42,

Kirkland discloses:

wherein the directing dispatch of dispatching the message to one or more recipients further comprise directing display of displaying the message on a display associated with the network hub (abstract, fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Hardt, and Kirkland in order to deliver and display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Outlook, Ye, Hardt, Kirkland and further in view Domnitz.

Regarding claim 43,

Domnitz teaches:

wherein directing display of a message on a display associated with a network hub further comprises fourth directing display of the message, which is associated with the Radio Frequency identifier, on a display associated with the network hub, wherein the recipient Radio Frequency identifier is associated with the radio frequency tag reader (fig. 1, email, PDA, pc, or cell phone display

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878 messages associated with a radio frequency identifier, col. 5:7-11, 30-50, fig. 1-2).

880 It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, Hardt, and Kirkland. The
882 motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on time and location (Domnitz, abstract, 5:30-
884 50.).

886 **Claims 52, 54, 56, 58 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Outlook, Ye, Kirkland, Shavit, and further in view of U.S. 6,912,398 to
888 Domnitz.

890 **Regarding claim 52,**

Domnitz discloses:

892 further comprising displaying of the message on a display responsive to the radio
894 frequency tag or radio frequency tag reader being placed in proximity to the network hub (col. 5:7-11, email is dispatched to a person's PDA based upon
896 RFID location. See col. 7:57-67 to col. 8:3. See col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).
898

It would have been obvious to one of ordinary skill in the art at the time of the
900 invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit. The motivation to do so is that the teachings of Domnitz would be advantageous in
902 terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).
904

Regarding claim 54,

906 Domnitz teaches:

908 a determination to dispatch a message is based, at least in part, on when a
910 recipient-assigned Radio Frequency identifier associated with a radio frequency
tag or a radio frequency tag reader associated with a recipient of the message is
912 placed in proximity to the network hub (col. 5:7-11, email is dispatched to a
person's PDA based upon RFID location. See col. 7:57-67 to col. 8:3. See col.
4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

914

It would have been obvious to one of ordinary skill in the art at the time of the
916 invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit.

The motivation to do so is that the teachings of Domnitz would be advantageous in
918 terms of providing information to individuals based on location (Domnitz, abstract, 5:30-
50.).

920

Regarding claim 56,

922 Domnitz teaches:

924 dispatch a message when a recipient-assigned Radio Frequency identifier
associated with a radio frequency tag or a radio frequency tag reader associated
926 with a recipient of the message is placed in proximity to the one or more
communication networks (col. 5:7-11, email is dispatched to a person's PDA
928 based upon RFID location. See col. 7:57-67 to col. 8:3. See col. 4:56-67, col. 5:5-
11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

930

It would have been obvious to one of ordinary skill in the art at the time of the
932 invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit.

The motivation to do so is that the teachings of Domnitz would be advantageous in
934 terms of providing information to individuals based on location (Domnitz, abstract, 5:30-
50.).

936

Regarding claim 58,

938 Domnitz teaches:

940 dispatch a message occurs when a recipient-assigned Radio Frequency identifier
associated with a radio frequency tag or a radio frequency tag reader associated
942 with a recipient of a message is placed in proximity to a network hub (col. 5:7-11,
email is dispatched to a person's PDA based upon RFID location. See col. 7:57-
944 67 to col. 8:3. See col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3,
and figs. 1-2.).

946

It would have been obvious to one of ordinary skill in the art at the time of the
948 invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit.
The motivation to do so is that the teachings of Domnitz would be advantageous in
950 terms of providing information to individuals based on location (Domnitz, abstract, 5:30-
50.).

952

Claims 7-8, 23-24, 27, 53, 55, 57 are rejected under 35 U.S.C. 103(a) as being
954 unpatentable over Outlook, Ye, Hardt, and further of Domnitz.

956 **Regarding claim 7,**

Domnitz teaches:

958

wherein directing dispatch of the message to one or more recipients further
960 comprises directing display of the message on a display (fig. 1-2, col. 4:45-51,
abstract, col. 8:10-20.).

962

It would have been obvious to one of ordinary skill in the art at the time of the
964 invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The
motivation to do so is that the teachings of Domnitz would be advantageous in terms of

providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Regarding claim 8,

Domnitz teaches:

wherein the display is associated with the radio frequency identifier (col. 5:7:-11, 30-50, fig. 1-2, displays associated with radio frequency identifiers, laptop, pda.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Regarding claim 27,

Domnitz teaches:

further comprising a display associated with the apparatus that is configured to, under the direction of the at least one memory and stored computer program code, display a message associated with the Radio Frequency identifiers (col. 5:7:-11, 30-50, fig. 1-2, displays associated with radio frequency identifiers, laptop, pda; col. 4:45-51, col. 8:10-20.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of

providing information to individuals based on time and location (Domnitz, abstract, 5:30-
994 50.).

996 **Regarding claim 23,**

Domnitz discloses:

998 wherein the at least one memory and stored computer program code are
1000 configured to, with the at least one processor, cause the apparatus to direct
1002 dispatch of the message by directing dispatch of the message to one or more
determined recipients via lower power RF (Domnitz, fig. 1.).

1004 It would have been obvious to one of ordinary skill in the art at the time of the
invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The
1006 motivation to do so is that the teachings of Domnitz would be advantageous in terms of
providing information to individuals based on time and location (Domnitz, abstract, 5:30-
1008 50.).

1010 **Regarding claim 24,**

Domnitz discloses:

1012 wherein the at least one memory and stored computer program code are
1014 configured to, with the at least one processor cause the apparatus to direct
1016 dispatch of the message directing dispatch of the message to one or more
determined recipients by directing dispatch of the message to one or more
1018 determined recipients via a digital cellular network (fig. 3. See also col. 7:30-46.).

It would have been obvious to one of ordinary skill in the art at the time of the
1020 invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The
motivation to do so is that the teachings of Domnitz would be advantageous in terms of

1022 providing information to individuals based on time and location (Domnitz, abstract, 5:30-
50.).

1024

Regarding claim 53,

1026 Outlook, Ye, and Hardt do not expressly disclose:

1028 directing dispatch of the message to the one or more determined recipients by
1030 assigning recipient Radio Frequency identifiers, associated with a radio
frequency tag or a radio frequency tag reader associated with a recipient of the
message, to the message; and

1032

1034 dispatching the message when the radio frequency tag or radio frequency tag
reader is placed in proximity to the network hub

1036 However, Domnitz discloses:

1038 directing dispatch of a message to one or more determined recipients by
1040 assigning recipient Radio Frequency identifiers, associated with a radio
frequency tag or a radio frequency tag reader associated with a recipient of the
message, to the message (col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to
1042 col. 8:3, and figs. 1-2.), and

1044 dispatching the message when the radio frequency tag or radio frequency tag
reader is placed in proximity to the network hub (col. 5:7-11, email is dispatched
1046 to a person's PDA based upon RFID location. See col. 7:57-67 to col. 8:3. See
col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

1048

It would have been obvious to one of ordinary skill in the art at the time of the
1050 invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The
motivation to do so is that the teachings of Domnitz would be advantageous in terms of
1052 providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

1054

Regarding claim 55,

1056 Domnitz teaches:

1058 directing dispatch of a message to one or more determined recipients by
1059 assigning recipient Radio Frequency identifiers, associated with a radio
1060 frequency tag or a radio frequency tag reader associated with a recipient of the
1061 message, to the message, and when the radio frequency tag or radio frequency
1062 tag reader is placed in proximity to the communication networks (col. 4:56-67,
col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, see col. 4:56-67, col. 5:5-11 and
1064 figs. 1-2.).

It would have been obvious to one of ordinary skill in the art at the time of the
1066 invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The
motivation to do so is that the teachings of Domnitz would be advantageous in terms of
1068 providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

1070 **Regarding claim 57,**

Domnitz teaches:

1072 directing dispatch of a message to one or more determined recipients includes
1073 assigning recipient Radio Frequency identifiers, associated with a radio
1074 frequency tag or a radio frequency tag reader associated with a recipient of the
1075 message, to the message, and dispatching the message when the radio
1076 frequency tag or radio frequency tag reader is placed in proximity to the network
1077 hub (col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, see col. 4:56-
1078 67, col. 5:5-11 and figs. 1-2.).

1080
It would have been obvious to one of ordinary skill in the art at the time of the
1082 invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The
motivation to do so is that the teachings of Domnitz would be advantageous in terms of
1084 providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

1086

CONCLUSION

1088

Any inquiry concerning this communication or earlier communications from the
1090 examiner should be directed to Ryan Jakovac whose telephone number is (571)270-
5003. The examiner can normally be reached on Monday through Friday, 7:30 am to
1092 5:00 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, Lynn Feild can be reached on 571-272-2092. The fax phone
1094 number for the organization where this application or proceeding is assigned is 571-
273-8300.

1096

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1106

/Ryan Jakovac/

Primary Examiner, Art Unit 2445

1108